

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant	: Fernando Bouffard Fita	Confirmation No. : 8090
Application No.	: 10/562,392	Group Art Unit: 1615
Filed	: December 19, 2005	Examiner : not yet assigned
Title	: Anesthetic Composition for Topical Administration Comprising Lidocaine, Prilocaine and Tetracaine	

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn : Office of Initial Patent Examinations  
Filing Receipt Corrections

Dear Sir:

Applicant respectfully notes that the Filing Receipt, mailed on April 18, 2007, see Exhibit 1, for the above-identified patent application contains a material error; which Applicant hereby respectfully requests to be corrected. Applicant also notes that this same error also appeared on the Notice of Acceptance of Application Under 35 U.S.C 371 and 37 CFR 1.495, see Exhibit 2; as well as on the U.S. Patent Application Publication No. US 2006/0140986 A1 dated June 29, 2006, see Exhibit 3; first page only presented here.

Applicant notes that the material error is in the PCT filing date for the International Application Number, PCT/EP2004/050967 for this 371 application, see Exhibit 4; first page only presented here. In the attached documents, Exhibits 1, 2, and 3, the filing date of this PCT application was erroneously printed as **July** 1, 2004, whereas the correct filing date is **June** 1, 2004. The typographical error in the month of filing incorrectly suggests that the PCT application did not and could not properly claim priority from the earlier filing of the foreign priority application in June of 2003.

In more specifics, Applicant respectfully directs the Office to the Filing Receipt currently in issue, where under the Domestic Priority Data as claimed by Applicant, the filing date was errantly printed 07/01/2004, not the appropriate 06/01/2004. Again, in more specifics, the identical error was also shown on the Notice of Acceptance of Application under 35 U.S.C 371 and 37 CFR 1.495, on which it incorrectly printed 07/01/2004 under the heading for "I.A. FILING DATE". Copies of the Filing Receipt and the Notice with corrections hand-noted thereon are attached, See Exhibits 1 and 2.

Applicant notes moreover that he duly filed a Petition for Republication of a Corrected Patent Application on August 25, 2006, See Exhibit 5. In the Petition, Applicant respectfully noted that the PCT application was timely filed on June 1, 2004; and subsequently requested republication with the correction of the material error. Applicant is now requesting correction of this typographical error in an updated Filing Receipt as well as throughout the application file wrapper.

Applicant respectfully submits that no fee is due with this request.

Dated: May 17, 2007

Respectfully Submitted,



Peter B. Scull, Registration No. 37,932  
Attorney for Applicant  
USPTO Customer No. 43,439

Berenbaum, Weinshienk & Eason, P.C  
370 Seventeenth Street., Suite 4800  
Denver, CO 80202  
Tel: 303.592.8378  
Fax: 303.692.7610

# EXHIBIT 1

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/562,392	12/19/2005	1615	450	264-011-USP	20	3

**CONFIRMATION NO. 8090**

45346

HENSLEY KIM & EDGINGTON, LLC  
1660 LINCOLN STREET, SUITE 3050  
DENVER, CO80264

**FILING RECEIPT**

Date Mailed: 04/18/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Fernando Bouffard Fita, Barcelona, SPAIN;

**Power of Attorney:** The patent practitioners associated with Customer Number 45346**Domestic Priority data as claimed by applicant**This application is a 371 of PCT/EP04/50967 07/01/2004 *should be 06/01/2004***Foreign Applications**

SPAIN P200301548 06/19/2003

**If Required, Foreign Filing License Granted:** 03/22/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is  
**US10/562,392**

**Projected Publication Date:** Not Applicable**Non-Publication Request:** No**Early Publication Request:** No**\*\* SMALL ENTITY \*\*****Title**

Anesthetic composition for topical administration comprising lidocaine, prilocaine and tetracaine

**Preliminary Class**

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

### LICENSE FOR FOREIGN FILING UNDER

#### Title 35, United States Code, Section 184

#### Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to

espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# EXHIBIT 2


**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/562,392	Fernando Bouffard Fita	264-011-USP

INTERNATIONAL APPLICATION NO.
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PCT/EP04/50967
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I.A. FILING DATE	PRIORITY DATE
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07/01/2004	06/19/2003
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*should be 06/01/2004*

**CONFIRMATION NO. 8090**

**371 ACCEPTANCE LETTER**



\*OC000000018345280\*

45346  
 HENSLEY KIM & EDGINGTON, LLC  
 1660 LINCOLN STREET, SUITE 3050  
 DENVER, CO 80264

Date Mailed: 04/18/2007

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>12/19/2005</u>	<u>12/19/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 12/19/2005
- Copy of the International Search Report filed on 12/19/2005
- Preliminary Amendments filed on 12/19/2005
- Information Disclosure Statements filed on 12/19/2005
- Oath or Declaration filed on 12/19/2005
- Small Entity Statement filed on 12/19/2005
- Request for Immediate Examination filed on 12/19/2005
- U.S. Basic National Fees filed on 12/19/2005
- Priority Documents filed on 12/19/2005
- Specification filed on 12/19/2005



- Claims filed on 12/19/2005
- Abstracts filed on 12/19/2005

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 3 - OFFICE COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)

# EXHIBIT 3

(19) **United States**(12) **Patent Application Publication** (10) **Pub. No.: US 2006/0140986 A1**  
(13) **Fita** (43) **Pub. Date: Jun. 29, 2006**(54) **ANESTHETIC COMPOSITION FOR  
TOPICAL ADMINISTRATION****Publication Classification**(76) **Inventor: Fernando Bouffard Fita, Barcelona  
(ES)****Correspondence Address:**  
**HENSLEY KIM & EDGINGTON, LLC**  
**1660 LINCOLN STREET, SUITE 3050**  
**DENVER, CO 80264 (US)**(51) **Int. Cl.**  
**A61K 9/00 (2006.01)**  
**A61K 31/24 (2006.01)**  
(52) **U.S. CL.** ..... **424/400; 514/537**(21) **Appl. No.: 10/562,392**(22) **PCT Filed: Jul. 1, 2004**(86) **PCT No.: PCT/EP04/50967**(30) **Foreign Application Priority Data****Jun. 19, 2003 (ES)..... P200301548**(57) **ABSTRACT**

It comprises a mixture of lidocaine, prilocaine and tetracaine, or their pharmaceutically acceptable salts. The preferred composition comprises the following components in the indicated approximate w/w percentages: 1.5% of lidocaine base; 1.5% of prilocaine base; 4% of tetracaine base; 10% of methylpymolidone; 2% of dimethyl sulfoxide; 0.08% of topical hyaluronidase; 1.5% of guar gum; 1% of Tween-20; 0.5% of Tween-80, and the necessary amount of water to 100%. It exhibits a a high concentration on skin, a deep anesthetic effect and a significantly more rapid onset of the anesthetic effect than comparable transdermal anesthetics.

# EXHIBIT 4

(19) World Intellectual Property  
Organization  
International Bureau



(43) International Publication Date  
23 December 2004 (23.12.2004)

PCT

(10) International Publication Number  
**WO 2004/110423 A1**

(51) International Patent Classification<sup>7</sup>: **A61K 31/165**,  
31/167, 31/245, A61P 23/02

(21) International Application Number:  
PCT/EP2004/050967

(22) International Filing Date: 1 June 2004 (01.06.2004)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
P200301548 19 June 2003 (19.06.2003) ES

CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI,  
GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE,  
KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD,  
MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG,  
PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM,  
TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM,  
ZW.

(84) Designated States (*unless otherwise indicated, for every  
kind of regional protection available*): ARIPO (BW, GH,  
GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM,  
ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM),  
European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI,  
FR, GB, GR, HU, IE, IT, LU, MC, NL, PL, PT, RO, SE, SI,  
SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ,  
GW, ML, MR, NE, SN, TD, TG).

(71) Applicant and

(72) Inventor: **BOUFFARD FITA, Fernando** [ES/ES]; Lope  
de Vega, 104 bajos, E-08005 Barcelona (ES).

(74) Agent: **BARLOCCHI, Anna**; Zea, Barlocchi & Markvard-  
sen, S.L., Balmes, 30 1<sup>a</sup>, E-08007 Barcelona (ES).

Declaration under Rule 4.17:

— as to applicant's entitlement to apply for and be granted a  
patent (Rule 4.17(ii)) for all designations

Published:

— with international search report

(81) Designated States (*unless otherwise indicated, for every  
kind of national protection available*): AE, AG, AL, AM,  
AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN,

For two-letter codes and other abbreviations, refer to the "Guid-  
ance Notes on Codes and Abbreviations" appearing at the begin-  
ning of each regular issue of the PCT Gazette.

(54) Title: ANESTHETIC COMPOSITION FOR TOPICAL ADMINISTRATION

(57) Abstract: It comprises a mixture of lidocaine, prilocaine and tetracaine, or their pharmaceutically acceptable salts. The preferred composition comprises the following components in the indicated approximate w/w percentages: 1.5% of lidocaine base; 1.5% of prilocaine base; 4% of tetracaine base; 10% of methylpyrrolidone; 2% of dimethyl sulfoxide; 0.08% of topical hyaluronidase; 1.5% of guar gum; 1 % of Tween-20; 0.5% of Tween-80, and the necessary amount of water to 100%. It exhibits a high concentration on skin, a deep anesthetic effect and a significantly more rapid onset of the anesthetic effect than comparable transdermal anesthetics.

WO 2004/110423 A1

# EXHIBIT 5

PTO/SB/97 (08-03)

Approved for use through 07/31/2008. OMB 0831-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

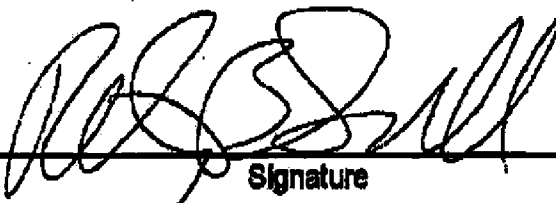
Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Certificate of Transmission under 37 CFR 1.8**RECEIVED  
CENTRAL FAX CENTER

AUG 25 2006

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

August 25, 2006

on \_\_\_\_\_  
Date  
\_\_\_\_\_  
Signature

Peter B. Scull

720-377-0773

Typed or printed name of person signing Certificate

In re U.S. Patent Application serial No. 10/562,392

Title: Anesthetic composition for topical administration comprising lidocaine, prilocaine and tetracaine

Filing Date : December 19, 2005

Attorney Docket No. 264-011-USP

**Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.**

MAIL STOP PGPUB

PTO Fax Number: 571-273-8300

From: Peter B. Scull, Reg. No. 37,932

Transmitted herewith are:

this Certificate of Transmission (1 page); and,  
Petition for Republication (2 pages) with two pages of exhibits.

Transmission Date : August 25, 2006

Total Pages in Transmission: 6 pages

Please notify us immediately (720-377-0717) if there is a problem with receipt of this fax.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

If you need assistance in completing this form, call 1-800-PTO-6486 and select option 3.

USTPO Central Facsimile No. (571) 273-8300  
ATTENTION: MAIL STOP PGPUB

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

AUG 25 2006

## In re Application of:

Applicant	: Fernando Bouffard Fita	Confirmation No:	8090
Appln. No.	: 10/562,392	Group Art Unit:	not yet assigned
Filed	: December 19, 2005	Examiner:	not yet assigned
Title	: ANESTHETIC COMPOSITION FOR TOPICAL ADMINISTRATION COMPRISING LIDOCAINE, PRILOCAINE AND TETRACAINE		

**PETITION FOR REPUBLICATION OF CORRECTED PATENT APPLICATION**  
**PURSUANT TO 37 C.F.R. § 1.221(b)**

**MAIL STOP PGPUB**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above-referenced patent application was published on June 29, 2006 and contains a material mistake made by the U.S. Patent and Trademark Office, which is apparent from the Office records. The application contains a material mistake in the international filing date (or "PCT Filed" date) on the front page of the application. The correct international filing date (or "PCT Filed" date) is "June 1, 2004," not "July 1, 2004," as mistakenly shown on the front page of the application.

The materiality of this mistake lies in the relation of the international filing date (or "PCT Filed" date) to the priority date, whereby the errantly-published PCT Filed date of July 1, 2004, suggests that the PCT application was filed later than necessary to obtain priority, and thus presents the appearance that the PCT application did not appropriately claim priority from the earlier filing in June of 2003. This is indeed not the case because the PCT application was timely filed on June 1, 2004, and correctly claimed priority to the earlier case. Applicant also submits herewith supporting documents showing: 1) the relevant page of the original filing documents clearly showing the correct

Attorney Docket No: 284-011-USP



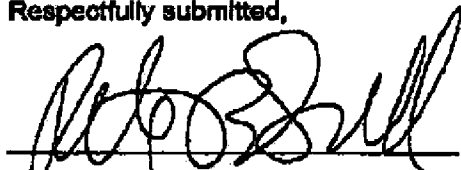
USTPO Central Facsimile No. (571) 273-8300  
ATTENTION: MAIL STOP PGPUB

International PCT filing date (i.e. June 1, 2004); and ii) the front page of the published application showing the incorrect international filing date (i.e. July 1, 2004).

Applicant is submitting this petition within the required two months of publication of the above-referenced application and respectfully requests republication of the above-referenced application to correct the material mistake pursuant to 37 CFR § 1.221(b). Applicant believes no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefore and authorization to charge Deposit Account No. 50-3189 as necessary.

August 25, 2006

Respectfully submitted,



Peter B. Scull, Registration No. 37,832  
Attorney for Applicant  
HENSLEY KIM & EDGINGTON, LLC  
USPTO Customer No. 45346  
Tel: 720-377-0773  
Fax: 720-377-0777

Attorney Docket No: 284-011-USP



US 20060140986A1

(19) **United States**

(12) **Patent Application Publication**

File

(10) Pub. No.: **US 2006/0140986 A1**

(43) Pub. Date: **Jun. 29, 2006**

(54) **ANESTHETIC COMPOSITION FOR TOPICAL ADMINISTRATION**

Publication Classification

(75) Inventor: **Barbara Boudard Pitt, Barcalona (ES)**

Correspondence Address:  
**HENSLEY KIM & EDGINGTON, LLC**  
1660 LINCOLN STREET, SUITE 3050  
DENVER, CO 80244 (US)

(21) Appl. No.: **10/542,392**

(22) PCT Filed: **Jan 1, 2004**

(86) PCT No.: **PCT/EP04/0067**

(30) **Foreign Application Priority Data**

Jun. 19, 2003 (ES) **P200301548**

(51) Int. Cl.  
**A61K 9/00 (2006.01)**  
**A61K 31/24 (2006.01)**  
(52) U.S. CL. **424/400; 514/537**

(57) **ABSTRACT**

It comprises a mixture of lidocaine, prilocaine and tetracaine, or their pharmaceutically acceptable salts. The preferred composition comprises the following components in the indicated approximate w/w percentages: 1.5% of lidocaine base; 1.5% of prilocaine base; 4% of tetracaine base; 10% of methylpynrolidone; 2% of dimethyl sulfoxide; 0.08% of topical hyaluronidase; 1.5% of guar gum; 1% of Tween-20; 0.5% of Tween-80, and the necessary amount of water to 100%. It exhibits a high concentration on skin, a deep anesthetic effect and a significantly more rapid onset of the anesthetic effect than comparable transdermal anesthetics.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 284-011-USP
		<b>U.S. APPLICATION NO. (if known, see 37 CFR 1.6)</b>
<b>INTERNATIONAL APPLICATION NO.</b> PCT/EP2004/050887	<b>INTERNATIONAL FILING DATE</b> 1 June 2004	<b>PRIORITY DATE CLAIMED</b> 19 June 2003
<b>TITLE OF INVENTION</b> Anesthetic Composition for Topical Administration Comprising Lidocaine, Prilocaine and Tetracaine		
<b>APPLICANT(S) FOR DO/EO/US</b> Fernando Bouffard Fita		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (8) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. (courtesy copy)</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.88.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.78.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. (as part of Declaration)</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p>		

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This collection of information is required by 37 CFR 1.414 and 1.401-1.402. The information is required to obtain or retain a benefit by the public, which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information; preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual's case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

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